

Appln. No. 10/518,354  
Amd. dated February 13, 2006  
Reply to Office Action of October 13, 2005

**REMARKS**

The Examiner's action dated October 13, 2005, has been received, and its contents carefully noted.

The information provided by the Examiner about the arrangement of the Specification has been noted. If the Examiner believes that the Specification would be improved by the inclusion of section headings, he is authorized to add those headings.

In response to the rejection of claims 1-14 under 35 U.S.C. §112, second paragraph, claim 1 has been amended to provide proper antecedent basis for "the device" and "the water jet". Various dependent claims have been amended to place them in better form.

Accordingly, it is requested that this rejection be reconsidered and withdrawn.

The rejection of claim 1 as anticipated by either one of two French patent references is traversed for the reason that the coffeemaker defined in claim 1 is not disclosed in either of those references.

The present invention is directed to an electric espresso coffeemaker in which water is supplied under pressure to a heating unit and some of this water is returned, also

under pressure, to a reservoir or a storage zone. The coffeemaker according to the invention is constructed to provide increased safety for a user by including means for reducing the pressure of the water that is returned from the heating unit.

Such a coffeemaker is not disclosed in either of the applied references.

The '662 reference only describes a beverage distributor having, at the interior of a body (10), a hot water reservoir (20) that communicates at its upper part, through a valve device (94) and an auxiliary chamber (60), with a removable cold water reservoir (50) that is not connected to a return circuit. The lower part of the hot water reservoir (20) is in thermal communication with a heating element (24). The auxiliary chamber (60) is not removable and serves as a buffer reservoir between the cold water reservoir (50) and the hot water reservoir (20). The auxiliary chamber (60) has a float (82) that acts on the valve (84) of the cold water reservoir (50) in order to open or close a water inlet. Water arrives in the peripheral part (102) of the auxiliary chamber (60) by being deflected by the edge (110) of the float (82), and from there descends via a transfer conduit (62) into the lower part of the hot water

reservoir (20) through a conduit (112). Hot water exits from the upper part of the hot water reservoir (20) through a conduit (34) in order to mix with a soluble product in a tube (36) of a mixing device before flowing down into an underlying cup. The hot water conduit (34) communicates with tubing (122) permitting its evacuation in the direction of a flow plate (12).

The machine disclosed in this reference does not include a pump and there is no indication that water leaves the heating unit in the form of a jet. Furthermore, in the machine disclosed in this reference, the removable reservoir (50) is not coupled to a hydraulic circuit for returning water leaving a heating unit; water can be returned only to a buffer reservoir (60). Furthermore, this reference does not disclose any means for reducing the pressure of a water jet returned to the buffer reservoir (60). Water can enter the buffer reservoir through a passage 64, but this is certainly not in the form of a jet and certainly does not represent a possible source of injury to a user.

Primarily because the machine according to this reference does not include a pump, beverages are prepared with water supplied under atmospheric pressure, so that there are no risks to a user involved in the return of hot water to a

reservoir and thus no motivation to install means for reducing the pressure of that water.

Thus, claim 1 clearly distinguishes over the '662 reference at least by the recitations of a removable reservoir connected to a hydraulic return circuit for return of water leaving a heating unit in the form of a jet, together with a connection device connecting the removable reservoir with the hydraulic circuit and having means for reducing the pressure of the water jet arriving by the hydraulic return circuit.

The '901 reference also discloses an espresso coffeemaker that includes a pedestal (1), an upper part (2) and a column (3) connecting the pedestal to the upper part. A removable water reservoir (4) is disposed alongside the column (3) and is positioned within the machine on a support (6) provided with a flow head (7) having a bore (8) at its bottom (9). The removable reservoir (4) has, at its lower part, a flow piece 13 provided with a valve (12) having a conical seat and an O-ring (15) that assures a sealed connection between the piece (13) and the flow head (7). When the reservoir (4) is installed, a pin (10) in the bottom (9) opens the valve (12) and permits water to be drawn from the reservoir (4) by a pump (5) through one of the pipes (11). The other pipe (11) is connected to a return flow conduit of the pump (5) that

Appln. No. 10/518,354  
Amd. dated February 13, 2006  
Reply to Office Action of October 13, 2005

permits the return of water to the reservoir when an overpressure exists in the heating unit.

The machine disclosed in the '901 reference does not include any connection device having means for reducing the pressure of a water jet, nor means for directing water arriving by a return circuit to a storage zone which is, of course, different from the removable reservoir.

The connecting arrangement disclosed in this reference is not capable of avoiding dangerous expulsions of hot water if the cold water reservoir is removed at an inappropriate time.

Thus, claim 1 clearly distinguishes over this reference at least by the same recitations as those cited above with respect to the rejection based on the '662 reference.

Accordingly, it is requested that the prior art rejection of claim 1 be reconsidered and withdrawn and that this claim be found allowable.

Since claims 2-14 were not rejected on the basis of prior art and were not observed to themselves contain any informalities, it can properly be assumed that those claims are already considered to be allowable.


Appln. No. 10/518,354  
Amd. dated February 13, 2006  
Reply to Office Action of October 13, 2005

If the above amendment should not now place the application in condition for allowance, the Examiner is invited to call undersigned counsel to resolve any remaining issues.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant

By

  
Jay M. Finkelstein  
Registration No. 21,082

JMF:dtb  
Telephone No.: (202) 628-5197  
Facsimile No.: (202) 737-3528  
G:\BN\S\seb\Lafond 1\Pto\AMD 13FEB06.doc